

# ENROLLED

COMMITTEE SUBSTITUTE

for

## H. B. 2240

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(BY DELEGATE(S) KURCABA, FLEISCHAUER, STATLER,  
HOUSEHOLDER, ESPINOSA, MOFFATT,  
SUMMERS, BLAIR, HICKS, BYRD AND UPSON)

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[Passed March 14, 2015;  
in effect ninety days from passage.]

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AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-2-9d, relating to crimes against the person; providing that strangling is a criminal offense; defining bodily injury and strangling; providing a felony offense of strangling another; and providing criminal penalties.

*Be it enacted by the Legislature of West Virginia:*

That the Code of West Virginia, 1931, as amended, be amended, by adding thereto a new section, designated §61-2-9d, to read as follows:

**§61-2-9d. Strangulation; definitions; penalties.**

1           (a) As used in this section:

2           (1) “Bodily injury” means substantial physical pain, illness  
3 or any impairment of physical condition;

4           (2) “Strangle” means knowingly and willfully restricting  
5 another person’s air intake or blood flow by the application of  
6 pressure on the neck or throat;

7           (b) Any person who strangles another and thereby causes  
8 them bodily injury or thereby to lose consciousness is guilty of  
9 a felony and upon conviction thereof shall be confined in a state  
10 correctional facility for not less than one year or more than five  
11 years fined not more than \$2,500.00, or both.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, House Committee*

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*Chairman, Senate Committee*

Originating in the House.

In effect ninety days from passage.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within \_\_\_\_\_ this the \_\_\_\_\_  
day of \_\_\_\_\_, 2015.

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*Governor*

